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SEP 07 2006

**REMARKS**

Claims 1-13, 15-25, and 27-30 are pending in the present application. Claims 14, 26, and 31-44 are cancelled and claims 1, 2, 4-8, 10-13, 15, 17-25, 27 and 29 have been amended herein. No new matter has been added.

Claims 7, 12, 13, 19, and 20 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been amended herein to include all of the limitations of the base claim and any intervening claims. Applicants respectfully submit that these claims are now allowable.

Claims 8 and 30 have been rejected under 35 U.S.C. § 112, second paragraph, as assertedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 1-3, 8-10, 15, and 17 have been rejected under 35 U.S.C. § 102(b) as assertedly being anticipated by U.S. Patent Application Publication No. 2002/0017673 A1 to Maeda et al. (hereinafter "Maeda"). Claims 1-6, 9-11, 14-18, and 22-29 have been rejected under 35 U.S.C. § 102(e) as assertedly being anticipated by U.S. Patent Application Publication No. 2003/0183862 A1 to Jin et al. (hereinafter "Jin"). Claim 16 has been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Maeda in view of U.S. Patent No. 6,077,775 to Stumborg et al. (hereinafter "Stumborg"). Claim 21 has been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Maeda in view of U.S. Patent No. 6,417,537 to Yang et al. (hereinafter "Yang"). Claim 21 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Jin et al. in view of Yang. Applicants respectfully traverse these rejections.

Regarding claim 1, Applicants have amended claim 1 to recite at least one of the distinguishing features of the present invention. In particular, Applicants have amended claim 1 to recite the limitation "wherein the second insulating layer comprises a recessed region between at least two adjacent MIM capacitors, the at least two adjacent MIM capacitors having top plates comprised of the second conductive layer, wherein the second conductive layer within the recessed region electrically couples the top plates of the at least two adjacent MIM capacitors." None of the cited references disclose this feature.

Applicants note that a similar limitation was previously recited in claim 14 (canceled herein), which the Office Action rejected over Jin. (Office Action, pages 7-8.) Jin, however, does not disclose that the second insulating layer includes *a recessed region between two adjacent MIM capacitors* and that the second conductive layer *within the recessed region* electrically couples the top plates of the at least two adjacent MIM capacitors. Rather, the dielectric layer between two adjacent MIM capacitors of Jin is not recessed.

Accordingly, Applicants respectfully request that the rejections of Applicants' claim 1 be withdrawn. Claims 2-6, 8-11, 15-18, and 21 depend from and further limit independent claim 1 in a patentable sense. Accordingly, Applicants respectfully request that the rejections of claims 2-6, 8-11, 15-18, and 21 be withdrawn as well.

Applicants' claim 22 recites a limitation similar to the limitation discussed above with reference to claim 1. Applicants respectfully request that the rejections of Applicants' claim 22 be withdrawn. Claims 23-25 depend from and further limit independent claim 22 in a patentable sense. Accordingly, Applicants respectfully request that the rejections of claims 23-25 be withdrawn as well.

Applicants' claim 27 also recites a limitation, "a top of the at least one first insulating layer comprises a recessed region between at least two adjacent MIM capacitors," that is not disclosed in Jin. Accordingly, Applicants respectfully request that the rejections of Applicants' claim 27 be withdrawn. Claims 28-30 depend from and further limit independent claim 27 in a patentable sense. Accordingly, Applicants respectfully request that the rejections of claims 28-30 be withdrawn as well.

In the event that the Examiner maintains the rejection of claim 27 over Jin, Applicants respectfully request additional information regarding how Jin discloses "a recessed region" as recited in Applicants' claims.


In view of the above, Applicants respectfully submit that the application is in condition for allowance and request that the Examiner pass the case to issuance. If the Examiner should have any questions, Applicants request that the Examiner contact Applicants' attorney at the address below. In the event that the enclosed fees are insufficient, please charge any additional fees required to keep this application pending, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,

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Date

SLATER & MATSIL, L.L.P.  
17950 Preston Rd., Suite 1000  
Dallas, Texas 75252  
Tel.: 972-732-1001  
Fax: 972-732-9218

  
Roger C. Knapp  
Attorney for Applicants  
Reg. No. 46,836